



Liquor & Tobacco Advisory Board Agenda
Tuesday, July 20 2021
6:00 P.M. – City Council Chambers, 2nd floor, City Hall
425 East State Street
Rockford, IL 61104
779-348-7163

Present:

ZBA Members: Dan Roszkowski
Kim Johnsen
Maurice Redd
Jennifer Spencer

Absent: Craig Sockwell
Jennifer Smith
Tom Fabiano

Staff: Angela Hammer- City Attorney
Megan McNeill- Assistant City Attorney
Darius Morrow-Land Use Planner
Scott Capovilla – Planning and Zoning Manager
Mike Rotolo- Fire Prevention Coordinator
Jeremy Carter - Traffic Engineer

Others: Christine Vitosh-Court Stenographer (Hansen Recording)
Applicants and Interested Parties

Scott Capovilla explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Liquor & Tobacco Advisory Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.

- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, July 26, 2021 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, August 2, 2021. If the item is laid over at the LTAB meeting, the next meeting is Tuesday, August 17, 2021. If for any reason the item is laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 7:57 PM. A **MOTION** was made by Kim Johnsen to **APPROVE** the May 18, 2021 meeting minutes. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

21-LTAB-014

Applicant
Ward 1

6521 and 6565 Lexus Drive

Matthew Idzikowski / Rockford's Italian Steakhouse, Inc. dba TBD

The sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in a C-2, Limited Commercial Zoning District

The Applicant, Matthew Idzikowski stated he is opening the old Five Forks Restaurant which will be a high end Italian Steakhouse like Rosebud's in Chicago. He said he has an issue with the Midnight closing condition and would really like to have a 2:00 AM closing like the competition. Mr. Idzikowski also stated condition 7 would not work as this restaurant has a private room and would like host small events, possibly have live music but would never have a cover charge. Mr. Idzikowski states condition 9 will not work even though video gaming was not proposed for this location. It would not work under this concept but he would like to keep his options open just in case things did not work and he would need to change the concept. However, he will not be applying for a gaming license at this time.

Kim Johnsen asked about executive chef as another name appeared in the business plan in another location. Mr. Idzikowski stated his staff works on multiple things and at multiple locations.

Ms. Johnsen also asked about the outdoor seating condition. Mr. Idzikowski stated there is a little patio area in the middle of the parking lot that seats twelve people.

Attorney McNeill stated that Mr. Idzikowski commented on conditions on 5, 7, and 9 but wanted to know if he looked at the other conditions and agreed with those conditions. Mr. Idzikowski stated he looked at the other conditions and was okay with the other conditions.

Ms. Johnsen asks about condition 7 and how it work for the DJ's, live entertainment, and dance floors portion. Mr. Idzikowski stated he does not anticipate dancing there, as the private room only seats 55 people, but a DJ, and or live entertainment could be possible for a small party. However, it would never be a nightclub or have a cover charge. He sees more group dinners happening in this area.

Staff Recommendation was for approval. No objectors or interested parties were present.

A **MOTION** was made by Kim Johnsen to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant and an outdoor seating area in a C-2, Limited Commercial Zoning District but revising condition 5 to 2:00 am closing, revising condition 7 to only prohibit a cover charge and removal of condition 9

prohibiting video gaming machines. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

Approval is based on following conditions:

1. Meet all applicable Building and Fire Codes.
2. Submittal of a revised site plan to include the outdoor seating area with the number of tables, chairs, and fencing for Staff review and approval.
3. Submittal of a revised interior floor plan that includes the number of tables, chairs, and bar stools for Staff review and approval.
4. The sale of alcohol shall be limited to the approved revised site and interior floor plans.
5. The hours of operation are limited to 11:00 A.M. to 2:00 A.M., Monday through Sunday.
6. Window display signage is limited to 20% of window area.
7. The restaurant shall not have a cover charge.
8. The restaurant shall not operate as a nightclub.
9. The windows shall not be covered with bars or other devices that block the windows.
10. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
11. All outstanding general ordinance fines must be paid prior to the issuance of the license.
12. All conditions must be met prior to establishment of use.

21-LTAB-015

Applicant
Ward 1

730 North Lyford Road

CBOCS West, Inc dba Cracker Barrel Old Country Store #244

The sale of liquor by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District

Attorney Donovan Borvan and General Manager Andy Pickens presented on behalf of Cracker Barrel. Attorney Borvan stated Cracker Barrel has been in operation at this location over two decades and they are seeking to add a limited selection of beer and wine.

Attorney McNeill asked if they read the staff recommendation and had reviewed conditions 1 through 8 and did they agree to those conditions. Attorney Borvan stated yes they have read them and they agree to abide by them.

Maurice Redd asked if other Cracker Barrel locations sell. Attorney Borvan stated it is starting something new that began in Tennessee and is expanding in Illinois with small selection of sites.

Staff Recommendation was for approval. No objectors or interested parties were present.

A **MOTION** was made by Maurice Redd to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 4-0.

Approval is based on the following conditions:

1. Meet all applicable Building and Fire Codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of beer and wine shall be in conjunction with a restaurant.
4. The hours of operation will need to be in accordance with the Liquor Code and Exhibit G.
5. The proposed use shall not have a cover charge, a dance floor or any DJs.
6. The proposed use shall not operate as a nightclub.
7. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
8. All outstanding general ordinance fines must be paid prior to issuance of the license.

21-LTAB-016

Applicant
Ward 13

307 South Main Street

Barbara Juarez / Sisters on Main, Inc. dba Sisters on Main

Modification of an existing liquor license to change the days and hours of operation to Monday through Sunday from 7:00 A.M. to 1:30 A.M. for a liquor license by the drink in conjunction with a with a restaurant in a C-4, Urban Mixed-Use Zoning District

The applicant failed to appear.

A **MOTION** was made by Jennifer Spencer to **LAYOVER** modification of an existing liquor license to change the days and hours of operation to Monday through Sunday from 7:00 A.M. to 1:30 A.M. for a liquor license by the drink in conjunction with a with a restaurant in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Maurice Redd and **CARRIED** by a vote of 4-0.

21-LTAB-017

Applicant
Ward 5

1018 South Main Street

Buckbee Seed Company, LLC Seed I dba Buckbee Weed Co.

The sale of tobacco products in conjunction with a hemp retail store in a C-2, Limited Commercial Zoning District

Prior to the meeting, the Applicant requested a layover for this item.

A **MOTION** was made by Jennifer Spencer to **LAYOVER** the sale of tobacco products in conjunction with a hemp retail store in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 4-0.

With no further business to come before the Board, the meeting was adjourned at 8:12 PM.

Respectfully submitted,
Darius Morrow, Land Use Planner
Zoning Board of Appeals